

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSH L. ANDERSON

2

V.

: CA 04-135 Erie

LARRY E. KOPKO, et al.

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9 Telephone Hearing in the above-captioned
10 matter held on Thursday, March 23rd, 2006,
11 commencing at 11:03 a.m., before the Honorable
12 Susan Paradise Baxter, in camera, at the United States
13 Courthouse, 17 South Park Row, Erie, Pennsylvania
14 16501.

For the Plaintiff:

Josh L. Anderson (Pro Se)

For the Defendant:

James T. Marnen, Esquire

25 | Reported by Janis L. Ferguson, RPR

1 THE COURT: All right. We are obviously, by
2 having a hearing today, your motion for a hearing,
3 discovery hearing, Document No. 56 was granted.
4 And we are construing Document No. 54 as --
5 liberally construing it -- which is your response,
6 as another motion to compel, because these issues
7 were not resolved, and they are going to be
8 resolved now. All right?

9 Well, the motion to compel is granted in part
10 and denied in part.

11 No. 1, the Defendant must, in fact, comply
12 with the first request; any and all notes taken by
13 Defendant Katie L. Smith regarding Plaintiff from
14 those dates, October 29th, 2001 to present. That
15 is granted.

16 No. 2, anything beyond that which has been
17 produced regarding Request No. 2 is denied.

18 No. 3. Any and all grievances or complaints
19 filed by anybody against Katie L. Smith is
20 granted.

21 No. 4, a complete and accurate copy of the
22 code of conduct and ethics is granted, with this
23 proviso: As long as there are not any security
24 concerns. I can't imagine that there are with the
25 code of conduct and ethics, Mr. Marnen, but I

1 would have to hear more on that, if that's going
2 to be an objection.

3 As to No. 5, it's denied. That's the
4 complete and accurate list outlining Miss Smith's
5 responsibilities for every -- for February 4th.
6 That's denied.

7 As to No. 6, the logs, I'm going to deny it,
8 except for that date, because you didn't give me a
9 listing of dates, and it's too broad as requested.
10 If there are other dates, you have to get those in
11 fast, because we're out of time. And so I'm going
12 to deny it, except for the date in question. It
13 may have already been produced.

14 Are you going to check on that, Mr. Marnen?

15 MR. MARNEN: Yes, ma'am.

16 THE COURT: All right. As to No. 9, the
17 prisoner's file, it's denied.

18 No. 8, you're checking on that one, both of
19 you; whether or not it's been received. All
20 right?

21 (Discussion held off the record.)

22 THE COURT: You have some time if you can get a
23 group of dates together, Mr. Anderson, for No. 6.

24 MR. ANDERSON: Okay.

25 THE COURT: Any questions?

1 MR. MARNEN: No, Your Honor.

2 MR. ANDERSON: No, Your Honor.

3 THE COURT: All right. We're adjourned. Thank
4 you.

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6 (Hearing concluded at 11:25 a.m.)

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